

CITY OF CARLISLE
REGULAR CITY COUNCIL MEETING MINUTES
Monday, April 14, 2008, 6:30 P.M.
Carlisle City Hall Council Chamber

Officials present were: Mayor Ruth Randleman and Council Members Drew Merrifield, Doug Hammerand, Alma Reed and Robert VanRyswyk. Council Member Eric Mahnke was absent. Mayor Randleman called the meeting to order at 6:30 P.M.

Motion by Merrifield, second by Hammerand to APPROVE THE FOLLOWING CONSENT ITEMS: abridged and unabridged March 24, 2008 Regular City Council meeting minutes, April 7, 2008 Special City Council meeting minutes, March 11, 2008 Metro Advisory Council meeting minutes, April 8, 2008 Board of Adjustment meeting minutes, including approval of a petition from Scott James doing business as James Oil Co. LLC for setback variances from 40' feet to 0' feet in the north front yard, from 40' to 30' in the west front yard, from 20' to 10' in the south side yard and from 40' to 29' in the east rear yard in an M-2 Heavy Industrial zone to allow the construction of a 70' by 120' building on Auditor's Outlots, east 179' of lot 8 and the March 2008 Clerk's Financial Report to receive and file for audit carried unanimously on roll call vote of those present. It was noted that the James Oil request is still subject to site plan review by the Planning and Zoning Commission and the City Council

Council Member Mahnke arrived at 6:33 P.M.

Motion by VanRyswyk, second by Hammerand to receive the progress report and APPROVE PAY ESTIMATE NO. 1 TO BARKER LEMAR ENGINEERING IN THE AMOUNT OF \$6,004.34 FOR THE VOLUNTEER CREEK WATERSHED IMPROVEMENT PROJECT carried unanimously on roll call vote.

Motion by Mahnke, second by Reed to APPROVE PAYMENT OF BILLS IN THE TOTAL AMOUNT OF \$181,215.02 carried unanimously on roll call vote.

CITIZEN PARTICIPATION: None.

Motion by Merrifield, second by Hammerand to receive bids on the 1987 tanker and APPROVE RESOLUTION NO. 2008041401 ACCEPTING THE HIGH BID IN THE AMOUNT OF \$10,000.00 FROM MAYWOOD WELFLEET, NE RURAL FIRE DISTRICT carried unanimously on roll call vote.

Motion by Hammerand, second by Mahnke to APPROVE THE THIRD READING OF AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CARLISLE, IOWA, 2006, BY AMENDING PROVISIONS PERTAINING TO SEWER RATES, carried on a 4-1 roll call vote with Merrifield voting Nay.

Mayor Randleman OPENED THE PUBLIC HEARING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOTES TO EVIDENCE THE OBLIGATION OF THE CITY THEREUNDER at 6:46 P.M. The City Administrator reported that no written objections had been filed. The Mayor then called for oral objections to the proposal and none were made. Motion by Mahnke, second by Hammerand to CLOSE THE PUBLIC HEARING at 6:48 P.M., carried unanimously on roll call vote. Motion by Hammerand, second by Reed to APPROVE RESOLUTION NO. 2008041402 INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION carried on a 4-1 roll call vote with Merrifield voting Nay.

Motion by Mahnke, second by Hammerand to FRONT THE COST AND NEGOTIATE A REPAYMENT PLAN WITH THE OWNER FOR REMOVAL OF A HAZARDOUS TREE ON PRIVATE PROPERTY AT 205 N. 1ST ST. carried unanimously on roll call vote.

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In view of the fact that a sale of the property at 19/21 School St. has not happened, staff was directed SEND A SECOND LETTER TO THE OWNER OF THE DANGEROUS BUILDING AT 19/21 SCHOOL ST. directing its repair or removal. A request from Shaun and Lisa Sage of 606 Parkview for SIDEWALK IMPROVEMENTS AT THE PARKVIEW SOUTH COMMON AREA was considered. The City Attorney will research ownership of the common area.

Motion by Merrifield to FORGIVE THE SEWER PORTION OF THE BILL. Motion died for lack of a second. Motion by Mahnke, second by Hammerand to APPROVE THE FIRST READING AND WAIVE THE SECOND AND THIRD READINGS OF AN ORDINANCE AMENDING PROVISIONS PERTAINING TO DEFINITIONS carried on a 4-1 roll call vote with Merrifield voting Nay.

Motion by Mahnke, second by Reed to approve RESOLUTION NO. 2008041403 OF THE CITY COUNCIL OF CARLISLE, IOWA APPROVING AN AGREEMENT WITH FOX ENGINEERING ASSOCIATES, INC. FOR ENGINEERING SERVICES FOR THE SOUTH LOOP WATER MAIN PROJECT, including consideration of connection points at 5th and Linden, 8th and Ash and Scotch Ridge Road carried on a 4-1 roll call vote with Merrifield voting Nay.

Motion by Hammerand, second by Mahnke to GO INTO CLOSED SESSION, pursuant to chapter 21.5 (c.) of the Iowa Code to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation at 8:24 P.M., carried unanimously on roll call vote. Motion by Merrifield, second by VanRyswyk to CLOSE THE CLOSED SESSION at 8:44 P.M., carried unanimously on roll call vote. Motion by Merrifield, second by Reed to DIRECT THE CITY ATTORNEY TO INFORM THE COMPLAINANT THAT THE CITY IS STANDING BY THE INSURANCE COMPANY'S FINDINGS, carried unanimously on roll call vote.

Motion by Merrifield, second by Hammerand to APPROVE THE REQUEST FROM CARLISLE AREA ARTS COUNCIL FOR THE CITY TO ACT AS FISCAL AGENT FOR AN IOWA ARTS COUNCIL ORGANIZATIONAL GRANT APPLICATION carried unanimously on roll call vote.

Motion by Mahnke, second by Hammerand to APPROVE RESOLUTION NO. 2008041404 APPROVING BALLOT LANGUAGE AUTHORIZING THE IMPOSITION OF A LOCAL SALES AND SERVICES TAX IN THE CITY OF CARLISLE, IOWA AT THE RATE OF ONE PERCENT (1%) TO BE EFFECTIVE ON JANUARY 1, 2009 UNTIL DECEMBER 31, 2019 WITH REVENUES FROM THE SALES AND SERVICES TAX TO BE ALLOCATED AS FOLLOWS: \$50,000 FOR PROPERTY TAX RELIEF PER YEAR AND THE SPECIFIC PURPOSES FOR WHICH THE REVENUES SHALL OTHERWISE BE EXPENDED ARE: ACQUISITION, CONSTRUCTION AND RENOVATION OF STREETS, SIDEWALKS AND RECREATIONAL IMPROVEMENTS, carried unanimously on roll call vote.

Motion by Hammerand, second by Mahnke to APPROVE THE FIRST READING AND WAIVE THE SECOND AND THIRD READINGS OF AN ORDINANCE ADDING A NEW SECTION PROHIBITING THE PARKING OF SEMI TRUCKS AND TRAILERS ON A CITY STREET. Motion died for lack of a second. Motion by Hammerand, second by Mahnke to APPROVE THE FIRST READING AND WAIVE THE SECOND AND THIRD READINGS OF AN ORDINANCE ADDING A NEW SECTION PROHIBITING THE PARKING OF SEMI TRACTORS AND TRACTOR TRAILERS ON A CITY STREET, carried unanimously on roll call vote.

Motion by Merrifield, second by Hammerand to TABLE RECONSIDERATION OF THE DES MOINES AREA REGIONAL TRANSIT AUTHORITY DECISION TO CHANGE TAX RATES UNTIL AFTER THE APRIL 22, 2008 DART BOARD MEETING, carried unanimously on roll call vote.

The use of the property at 210 Columbia will be reconsidered on April 28, 2008.

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Motion by Merrifield, second by Mahnke to ADJOURN AT 10:20 P.M., carried unanimously on roll call vote of those present: Merrifield – Aye, Mahnke – Aye, Reed – Aye, VanRyswyk – Aye, Hammerand – Aye.

Ruth Randleman, Mayor

Attest:

Neil Ruddy, Administrator/Clerk